

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THOMAS J. TROUBA,

Defendant.

8:20-CR-316

**ORDER ON MOTION TO AMEND
PRELIMINARY ORDER OF
FORFEITURE**

This matter is before the Court on the Government's Motion to Amend Preliminary Order of Forfeiture. [Filing 118](#). In its Motion, the Government advises the Court that it has learned that the \$1,000 in United States currency seized from Defendant Thomas J. Trouba's person is actually included in the \$414,978 seized from Trouba's Ford F-150 pickup truck. [Filing 118 at 1](#). Currently, the Preliminary Order of Forfeiture states that \$1,000 in United States currency seized from Defendant's person and \$414,978 in United States currency seized from his pickup truck is forfeited to the United States. [Filing 113 at 2](#). The Government requests that the Court amend the Preliminary Order of Forfeiture to state that that the forfeitable property includes \$414,978 in United States currency, seized on or about September 18, 2020, from Defendant Trouba's person and from his 2013 Ford F-150 pickup truck, in Omaha, Nebraska. [Filing 118 at 2](#).

In his response, Defendant does not agree with nor oppose the Government's Motion, but requests that the Court replace the forfeiture of his residence with the approximately \$30,000 that the Court determined was not subject to forfeiture. The Court is unaware of any authority that allows it to replace forfeitable property with untainted property, and Defendant has cited none. The Court has already determined that the Government is authorized to forfeit Defendant's

residence because it facilitated the commission of his drug-distribution offense, and nothing has been presented to the Court that would alter that conclusion.¹ [Filing 112 at 11–13](#).

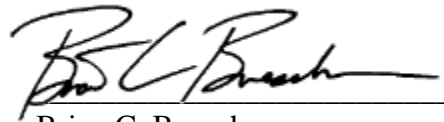
The Court grants the Government’s Motion and will enter an amended preliminary order of forfeiture. Accordingly,

IT IS ORDERED:

1. The Government’s Motion to Amend Preliminary Order of Forfeiture, [Filing 118](#), is granted; and
2. The Court will enter an amended preliminary order of forfeiture.

Dated this 29th day of December, 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'B. C. Buescher', written over a horizontal line.

Brian C. Buescher
United States District Judge

¹ While the Government’s Motion was pending, counsel for Defendant emailed the Court and the Government inquiring if the forfeited residence’s appliances were covered by the Court’s forfeiture order, or if Defendant could remove the appliances. The Court declines to rule on this issue as it is not properly presented to the Court for decision.